

REMARKS

Amendments to the Claims

Claims 36 and 38-74 are cancelled because they are drawn to non-elected subject matter. Claim 37 is amended to delete the objected to subject matter and to correct the name of the last recited compounds. New claims 75-88 are directed to further aspects of the invention and are supported throughout the disclosure. See, for example, original claim 37.

Title

The title is amended in accordance with the Examiner's suggestion.

Abstract

The Abstract has been replaced by a new Abstract that complies with the length restriction and specifically relates to the subject matter of the pending claims.

Priority

The listing of prior applications at page 1 of the application has been corrected. Specifically, the listing indicates the present status of No. 09/163,374, i.e. as U.S. Patent No. 6,350,753, and corrects the typographical error in the listing of Serial No. 07/179,615. Applicants do not agree to the assessment of priority at page 4 of the Office Action as it does not take into account all possible forms of support such as implicit or inherent disclosure.

Rejection Under 35 USC §112, second paragraph

The "5-" text has been deleted from the last named compounds in claim 37. Withdrawal of the rejection is respectfully requested.

Obviousness-type Double Patenting

Claim 1 of US 5,684,164 does not recite compounds recited in claim 37 as amended. Withdrawal of the rejection is respectfully requested.

Rejection Under 35 USC §102(f)

The rejection fails to provide any indication as to how US 5,684,164 establishes anticipation under 35 USC §102(f) with respect to the present pending claims. Withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claim 37 recites allowable subject matter. Allowance of the instant application is respectfully requested.

Favorable consideration of the above claims is respectfully requested.

Respectfully submitted,



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